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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

BASF AGROCHEMICAL PRODUCTS, : DOCKET NO. 05 CV 1478
ET AL

VS. : JUDGE MINALDI

MICHAEL T. UNKEL, ET AL : MAGISTRATE JUDGE WILSON


JUDGMENT

In accordance with the Memorandum Ruling, for the reasons stated therein, it is ORDERED, that the motion for summary judgment filed by plaintiffs [doc. 188] is GRANTED as to the patent infringement claim (First Claim) and the Plant Variety Protection Act (PVPA) infringement claim (Second Claim), and DENIED as to the state law conversion claim (Fourth Claim).

Defendants are HEREBY GIVEN NOTICE that the court will consider *sua sponte* whether summary judgment should also be entered against Michael T. Unkel Farms, Inc. on the patent infringement and PVPA infringement claims. This motion will be considered not sooner than ten days from the signing of this judgment. Each party may file a single brief due within ten days of the signing of this judgment. Briefs shall be limited to the above issue and shall not exceed ten pages in length.

IT IS FURTHER ORDERED that counsel for Michael T. Unkel and Michael W. Unkel show cause on the 8th day of February, 2007 at 10:00 a.m. p.m. why she should not be sanctioned for causing unnecessary delay and needlessly increasing the cost of litigation by filing the Rule 56(f) motion and all related and supplemental pleadings.

THUS DONE AND SIGNED in Chambers at Lake Charles, Louisiana, this 6 day of
December, 2006.



PATRICIA MINALDI
UNITED STATES DISTRICT COURT